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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,927	07/24/2001	Felix Henry	1807.1618	3539

5514 7590 07/13/2005

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

LAROSE, COLIN M

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/910,927

Applicant(s)

HENRY ET AL.

Examiner

Colin M. LaRose

Art Unit

2623

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 June 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

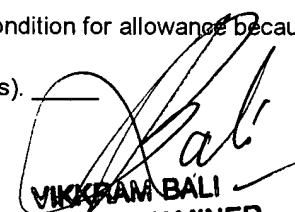
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).
13. ☒ Other: See Continuation Sheet.


VIKRAM BALI
PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: The amendments to claims 1 and 7 as sufficient to overcome the Tyler reference, however, additional search and consideration is required.

In view of Applicant's remarks, the previous objection to the Specification is withdrawn.

Regarding the IDS, it appears as though the English-language version of the search report has been received in the original submission of the IDS on 17 December 2001. However, the Examiner has determined that the confusion lies in the fact that in both the original submission of the search report and the present re-submission of the search report, the letters printed on the English-version of the search report are so light as to be indiscernible after electronic scanning. A copy of the search report is attached for illustration. Applicant is invited to submit the search report with darker lettering that is discernible so that the German patent reference may be considered.

Continuation of 13. Other: copy of English-language search report filed on 17 December 2001 is attached.



RAPPORT DE RECHERCHE PRÉLIMINAIRE

établi sur la base des dernières revendications
déposées avant le commencement de la recherche

N° d'enregistrement
national

FA 590222
FR 0009729

DOCUMENTS CONSIDÉRÉS COMME PERTINENTS		Revendication(s) concernée(s)	Classement attribué à l'invention par l'INPI
Catégorie	Citation du document avec indication, en cas de besoin, des parties pertinentes		
Y	EP 0 402 954 A (HARRIS CORP) 19 décembre 1990 (1990-12-19) * abrégé * * colonne 6, ligne 2 - ligne 15; revendication 6 *	1-15	H04N7/30 H03M7/30
Y	US 5 572 643 A (JUDSON DAVID H) 5 novembre 1996 (1996-11-05) * colonne 6, ligne 8 - ligne 11; figures 3,5 *	1-15	
A	SCHILIT B N ET AL: "TeleWeb: Loosely connected access to the World Wide Web" COMPUTER NETWORKS AND ISDN SYSTEMS, NL, NORTH HOLLAND PUBLISHING. AMSTERDAM, vol. 28, no. 11, 1 mai 1996 (1996-05-01), pages 1431-1444, XP004018240 ISSN: 0169-7552 * alinéa '02.2! * * alinéa '4.2.3!; figure 3 *	1,7	
A	US 4 751 742 A (MEEKER G WILLIAM) 14 juin 1988 (1988-06-14) * abrégé * * colonne 68, ligne 16 - ligne 17; revendication 1; figure 24A *	1,7	DOMAINES TECHNIQUES RECHERCHÉS (Int. CL. 7) H04N G06F
A	DE 35 18 301 A (THOMSON BRANDT GMBH ;TELEFUNKEN FERNSEH & RUNDfunk (DE)) 27 novembre 1986 (1986-11-27) * colonne 3, ligne 49 - colonne 4, ligne 29; figures 2A, 2B *	1-15	
-/--			
Date d'achèvement de la recherche		Examineur	
23 mars 2001		Foglia, P	
CATÉGORIE DES DOCUMENTS CITÉS			
<p>X : particulièrement pertinent à lui seul Y : particulièrement pertinent en combinaison avec un autre document de la même catégorie A : arrière-plan technologique O : divulgation non-écrite P : document intercalaire</p>			
<p>T : théorie ou principe à la base de l'invention E : document de brevet bénéficiant d'une date antérieure à la date de dépôt et qui n'a été publié qu'à cette date de dépôt ou qu'à une date postérieure. D : cité dans la demande L : cité pour d'autres raisons & : membre de la même famille, document correspondant</p>			

1
EPO FORM 1503 12.99 (P04C14)

établi sur la base des dernières revendications
déposées avant le commencement de la recherche

FA 590222
FR 0009729

EPO FORM 1503 12.99 (P04C14)

[illegible]

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on

The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent document cited in search report	Publication date	Patent family member(s)	Publication date